

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HOWARD COLUMBER HOLLAND
(TDCJ No. 1914814),

Petitioner,

V.

KAUFMAN COUNTY JAIL, ET AL.,

Respondents.

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CIVIL ACTION NO.:
3:14-CV-424-B


**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States magistrate judge made findings, conclusions, and a recommendation in this case. No objections were filed. The District Court reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the Court ACCEPTS the Findings, Conclusions, and Recommendation of the United States magistrate judge.

In accordance with FED. R. APP. P. 22(b) and 28 U.S.C. § 2253(c), and after considering the record in this case and the recommendation of the magistrate judge, the court DENIES petitioner a certificate of appealability. The Court adopts and incorporates by reference the magistrate judge's findings, conclusions and recommendation filed in this case in support of its finding that Petitioner has failed to show (1) that reasonable jurists would find this Court's "assessment of the constitutional claims debatable or wrong," or (2) that reasonable jurists would find "it debatable whether the petition states a valid claim of the denial of a constitutional right" and "debatable whether [this Court] was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Accordingly, the petition for writ of habeas corpus is DISMISSED without prejudice for failure to exhaust state remedies.

SO ORDERED this 7th day of August, 2014.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE